

SECOND REGULAR SESSION

SENATE BILL NO. 922

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Read 1st time January 17, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5998S.011

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri rural broadband development fund.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be known as section 620.2610, to read as follows:

620.2610. 1. There is hereby created in the state treasury the "Missouri Rural Broadband Development Fund", which shall consist of appropriated moneys, gifts, contributions, grants, or bequests made to the fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The Missouri rural broadband development fund shall be used by the department of economic development with the primary goal of developing broadband internet access in rural areas of the state. For the purposes of this section, "rural areas" shall mean any county except a county with a charter form of government or a city not within a county. The department of economic development shall establish a committee consisting of no fewer than three but no more than five

22 persons for the purpose of reviewing grant applications. Such
23 committee shall have the power to disperse broadband infrastructure
24 development grants. The department shall establish rules of procedure
25 for the committee.

26 5. Applications for broadband infrastructure development grants
27 shall be submitted for a rural regional development group only by a
28 regional planning commission created under chapter 251 or other
29 legally created regional planning commission. A regional planning
30 commission may submit applications on behalf of more than one rural
31 regional development group; except that, a regional planning
32 commission shall not submit an application on behalf of a group that
33 the regional planning commission does not recognize as the economic
34 development authority for the county that the authority represents.

35 6. A rural regional development group shall not qualify for a
36 broadband infrastructure development grant if:

37 (1) The group's region includes a county outside the state of
38 Missouri or portion of another state; or

39 (2) The group maintains an operating budget greater than two
40 hundred fifty thousand dollars.

41 7. The regional planning commission may charge an application
42 fee for the grants developed under this section. The regional planning
43 commission shall be allowed to claim reimbursement from the grant
44 recipients for actual costs of administering the grants.

45 8. A single grant shall not exceed one hundred fifty thousand
46 dollars. Each of the nineteen regions of the state represented by a
47 regional planning commission created under chapter 251 or other
48 legally created regional planning commission shall not receive more
49 than two grants per region annually.

50 9. Grants provided under this section shall be distributed based
51 on a rural regional development group's years in operation. The
52 eligible amount shall be:

53 (1) For a group in operation two years or more, on a matching
54 basis of three dollars of state funds for every one dollar of funds
55 provided or raised by the rural regional development group, including
56 the value of in-kind services, supplies, or equipment; and

57 (2) For groups in operation less than two years, on a matching
58 basis of one dollar of state funds for every one dollar of funds provided

59 or raised by the rural regional development group, including the value
60 of in-kind services, supplies, or equipment.

61 10. The grant recipient shall annually report the allocation of the
62 grants and the purposes for which the funding was used to the
63 governor, the director of the department of economic development, the
64 senate committee on commerce, consumer protection, energy and the
65 environment, the house committee on economic development, the house
66 committee on utilities, and any successor committees thereto.

67 11. The department of economic development may promulgate
68 rules and regulations for the administration of this section. Any rule
69 or portion of a rule, as that term is defined in section 536.010, that is
70 created under the authority delegated in this section shall become
71 effective only if it complies with and is subject to all of the provisions
72 of chapter 536 and, if applicable, section 536.028. This section and
73 chapter 536 are nonseverable, and if any of the powers vested with the
74 general assembly pursuant to chapter 536 to review, to delay the
75 effective date, or to disapprove and annul a rule are subsequently held
76 unconstitutional, then the grant of rulemaking authority and any rule
77 proposed or adopted after August 28, 2018, shall be invalid and void.

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